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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/759,731	01/16/2004	Christopher J. Bond	11669.136USU1	6901
23552	7590	11/15/2007		
MERCHANT & GOULD PC P.O. BOX 2903 MINNEAPOLIS, MN 55402-0903			EXAMINER GROSS, CHRISTOPHER M	
			ART UNIT 1639	PAPER NUMBER
			MAIL DATE 11/15/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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APPLICATION NO. 10759731	FILING DATE 1/16/2004	FIRST NAMED INVENTOR BOND, CHRISTOPHER J.	ATTORNEY DOCKET NO. 11669.136USU1
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MERCHANT & GOULD PC
P.O. BOX 2903
MINNEAPOLIS, MN 55402-0903

EXAMINER

Christopher M. Gross

ART UNIT	PAPER
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1639

20071109

DATE MAILED:

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Commissioner for Patents

see attached

COMMUNICATION

The reply filed on 8/27/2007 is not fully responsive to the prior Office Action because it appears the claim listing reading on the elected species (i.e. 105-130) is inaccurate.

Applicant's election (11/13/2006) included a CDHR3 scaffold; C terminal sequence WVTW and N terminal sequence RIGR. It is noted that claim 108 is directed to an N terminal sequence RIA₃C and claim 129 is directed to a non elected monobody (see restriction mailed 10/12/2006 p 5). Yet, applicant states that claims 108 and 129 read on the elected species (see above).

The foregoing analysis should not to be deemed exhaustive, as there may be other claims in the listings of 8/27/2007 and/or 11/13/2006 which similarly do not read on the elected species mentioned above. Applicant is requested to carefully consider which of the currently active claims read on all of the elected species of a CDHR3 scaffold ; N terminal sequence WVTW and C terminal sequence RIGR and provide a substitute listing.

Since the above-mentioned reply appears to be bona fide, applicant is given ONE(1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher M. Gross whose telephone number is (571)272-4446. The examiner can normally be reached on M-F 9-5:30.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, J. Douglas Schultz can be reached on 571 272-0763. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Christopher M Gross
Examiner
Art Unit 1639

cg

/Jon D. Epperson/
Primary Examiner, AU 1639